

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

JEAN-MICHEL SIMON

FR 000029

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

Title: APPARATUS COMPRISING A STORAGE DEVICE FOR STORING  
PERFORMANCE DATA AND METHOD OF UPDATING THIS STORAGE DEVICE

Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please  
amend the above-identified application as follows:

IN THE CLAIMS

Please amend the claims as follows:


1 5. (Amended) A method of updating the operation software of an  
2 apparatus as claimed in claim 1 by means of update data,  
3 characterized in that said update data are tapped from another  
4 apparatus of the same type.

1 7. (Amended) A system comprising at least two apparatus of the  
2 same type as claimed in claim 1, comprising means for exchanging  
3 update data, characterized in that at least a first apparatus  
4 comprises means for communicating its update data and in that at  
5 least the second apparatus comprises means updated with update data  
6 from the first apparatus.

REMARKS

The claims have been amended to delete multiple dependencies.  
The above amendments are submitted to place this application in proper U.S. format. Entry of the amendment and an early action on the merits are solicited.

Respectfully submitted,

By   
\_\_\_\_\_  
Jack D. Slobod, Reg. No.26,236  
Attorney  
(914) 333-9606  
March 18, 2001

## Appendix A

### Version with Markings to Show Changes Made to the Claim

The following are marked up versions of amended claims 5 and

7:

1 5. (Amended) A method of updating the operation software of an  
2 apparatus as claimed in [one of the claims 1 to 4] claim 1 by means  
3 of update data, characterized in that said update data are tapped  
4 from another apparatus of the same type.

1 7. (Amended) A system comprising at least two apparatus of the  
2 same type as claimed in [one of the claims 1 to 4] claim 1,  
3 comprising means for exchanging update data, characterized in that  
4 at least a first apparatus comprises means for communicating its  
5 update data and in that at least the second apparatus comprises  
6 means updated with update data from the first apparatus.